

REMARKS

This Amendment is fully responsive to the non-final Office Action dated January 22, 2009, issued in connection with the above-identified application. Claims 1-30 were previously pending in the present application. With this Amendment, claims 1-21, 24, 25 and 27-30 have been canceled without prejudice or disclaimer to the subject matter therein; claims 31-38 have been added; and claims 22, 23 and 26 have been amended. Accordingly, claims 22, 23, 26 and 31-38 are now pending in the present application. No new matter has been introduced by the amendments made to the claims or by the new claims added. Additionally, the claim amendments and new claims are directed to the elected invention.

In this regard, Applicants note that the amended claims merely clarify the subject matter recited the rejected claims, but do not narrow the scope of the claims. The Applicants note that, for example, "common private information" recited in claim 22 is generally associated with "private information" disclosed in the specification, "first conversion information" recited in claim 22 is generally associated with "T2" disclosed in the specification, and "second conversion information" recited in claim 22 is generally associated with "T2'" disclosed in the specification. Favorable reconsideration is respectfully requested.

I. Interview Summary

The Applicants thank Examiner Burgess for granting the interview conducted with the Applicants' representative on March 19, 2009. During the interview, the distinguishable features between the present invention (as recited in independent claim 22, as amended) and the cited prior art were discussed in detail.

First, it was noted that Nakamura fails to disclose a group judgment device that transmits first data to the target device, and receives, from the target device, second data including second conversion information in response to the first data, the target device converting the common private information into the second conversion information according to the same conversion as the predetermined conversion, and transmitting to the group judgment device the second data including the second conversion information.

Nakamura teaches that the relay server removes a protocol element from the input data signal in the input-side communications protocol to extract data elements from the input data

signal, and synthesizes a protocol element and the extracted data elements to generate the output data signal in the output-side communications protocol (see e.g., paragraph [0017]). Nakamura also teaches that the relay server selects an applicable pipeline component applicable to convert the input-side monitor feature to the output-side monitor feature among the pipeline components with reference to the monitor feature table when the input-side monitor is not equal to the output-side monitor feature (see e.g., paragraph [0021]).

Second, it was noted that Nakamura fails to disclose a group judgment device that measures, as a target time, a time required between (a) transmission of the first data by the transmission/reception unit and (b) reception of the second data by the transmission/reception unit. Instead, Nakamura merely teaches the clock means 160 that is used for attaching a time stamp to the input data signals (see e.g., paragraph [0123]).

Finally, it was noted that Nakamura further fails to disclose a group judgment device that (i) compares the target time measured by the measurement unit with a reference time, the reference time being a time required between (a) transmission of the first data to a device belonging to a predetermined group and (b) reception of the second data from the device belonging to the predetermined group, and that (ii) compares the first conversion information generated by the conversion unit and the second conversion information included in the second data received by the transmission/reception unit, and judges that the target device belongs to the predetermined group when (i) a difference between the target time and the reference time is within a predetermined range and (ii) the first conversion information matches the second conversion information.

Rather, Nakamura merely teaches that the relay server performs the conversion of the data signal in accordance with the priority level (see e.g., paragraph [0024]). Nakamura also teaches that the relay server selects an applicable input-side protocol handler applicable to the input-side communications protocol among the input-side protocol handlers with reference to the protocol table (see e.g., paragraph [0025]).

In other words, Nakamura, at best, teaches a technology related to a protocol conversion. In contrast, the present invention does not relate to a protocol conversion, but relates to a group judgment device that judges whether that a target device belongs to a predetermined group.

Thus, independent claim 22 (as amended) is clearly distinguished over Nakamura.

At the conclusion of the interview, the Examiner indicated that the proposed amendments would likely distinguish the present invention from the cited prior art. The Examiner also indicated that further searching of the prior art would be necessary before making a final determination regarding the allowability of the claims.

II. Claim Rejections under 35 U.S.C. § 102(e)

In the Office Action, claims 22-24 and 26 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Nakamura et al. (US Publication Patent No. 2003/0028537, hereafter “Nakamura”). The Applicants respectfully traverse these grounds of the rejection. Claim 24 has been canceled thereby rendering the above rejection to that claim moot. Additionally, independent claims 22, 23 and 26 have been amended to further distinguish the present invention from the cited prior art.

Independent claim 22 (as amended) recites a group judgment device that is connected to a network and that shares common private information with a target device connected to the group judgment device via the network. The group judgment device is operable to convert the common private information into first conversion information according to predetermined conversion, to transmit first data to the target device, and to receive, from the target device, second data including second conversion information in response to the first data. The target device converts the common private information into the second conversion information according to the same conversion as the predetermined conversion, and transmits to the group judgment device the second data including the second conversion information.

The group judgment device is also operable to measure, as a target time, a time required between (a) transmission of the first data by the transmission/reception unit and (b) reception of the second data by the transmission/reception unit. The group judgment device is further operable to (i) compare the target time measured by the measurement unit with a reference time, the reference time being a time required between (a) transmission of the first data to a device belonging to a predetermined group and (b) reception of the second data from the device belonging to the predetermined group, and (ii) compare the first conversion information generated by the conversion unit and the second conversion information included in the second

data received by the transmission/reception unit. Then, the group judgment device judges that the target device belongs to the predetermined group when (i) a difference between the target time and the reference time is within a predetermined range and (ii) the first conversion information matches the second conversion information.

The features noted above in independent claim 22 are similarly recited in independent claims 23 and 26 (as amended), and new claim 38. Independent claim 23 recites a related group judgment device, independent claim 26 recites a related system, and independent claim 38 recites a related method. Additionally, the features noted above are fully supported by the Applicants' disclosure.

In the Office Action, the Examiner relies on Nakamura for disclosing or suggesting all the features of the present invention. However, the Applicants respectfully submit that the applied prior art reference does not teach or suggest the above-noted combination of features as similarly recited in independent claims 22, 23, 26 and 38.

Nakamura merely teaches a relay server that receives from an output entity an input data signal in an input-side communications protocol, converts the input data signal in the input-side communications protocol into an output data signal in an output-side communications protocol applicable to an input entity, and transmit to the input entity the output data signal in the output-side communications protocol. The relay server receives, from the input entity, terminal protocol information indicating the output-side communications protocol applicable to the input entity, and performs the protocol conversion in response to the terminal protocol information.

Nakamura fails to disclose a group judgment device that transmits first data to the target device, and receives, from the target device, second data including second conversion information in response to the first data, the target device converting the common private information into the second conversion information according to the same conversion as the predetermined conversion, and transmitting to the group judgment device the second data including the second conversion information.

Rather, Nakamura merely teaches that the relay server removes a protocol element from the input data signal in the input-side communications protocol to extract data elements from the input data signal, and synthesizes a protocol element and the extracted data elements to generate

the out data signal in the output-side communications protocol (see e.g., paragraph [0017]). Nakamura also merely teaches that the relay server selects an applicable pipeline component applicable to convert the input-side monitor feature to the output-side monitor feature among the pipeline components with reference to the monitor feature table when the input-side monitor is not equal to the output-side monitor feature (see e.g., paragraph [0021]).

Nakamura also fails to disclose a group judgment device operable to measure, as a target time, a time required between (a) transmission of the first data by the transmission/reception unit and (b) reception of the second data by the transmission/reception unit.

Rather, Nakamura merely teaches the clock means 160 that is used for attaching a time stamp to the input data signals (see e.g., paragraph [0123]).

Nakamura further fails to disclose a group judgment device that (i) compares the target time measured by the measurement unit with a reference time, the reference time being a time required between (a) transmission of the first data to a device belonging to a predetermined group and (b) reception of the second data from the device belonging to the predetermined group, and that (ii) compares the first conversion information generated by the conversion unit and the second conversion information included in the second data received by the transmission/reception unit, and judge that the target device belongs to the predetermined group when (i) a difference between the target time and the reference time is within a predetermined range and (ii) the first conversion information matches the second conversion information.

Rather, Nakamura merely teaches that the relay server performs the conversion of the data signal in accordance with the priority level (see e.g., paragraph [0024]). Nakamura also merely teaches that the relay server selects an applicable input-side protocol handler applicable to the input-side communications protocol among the input-side protocol handlers with reference to the protocol table (see e.g., paragraph [0025]).

In other words, Nakamura merely teaches a technology related to a protocol conversion. In contrast, the present invention does not relate to a protocol conversion, but relates to a group judgment device that judges whether that a target device belongs to a predetermined group.

Based on the above discussion, independent claim 22 is clearly distinguished over Nakamura. Furthermore, there is no disclosure or suggestion in Nakamura which would have

caused a person of ordinary skill in the art to modify Nakamura to obtain the present invention (as recited in at least independent claim 22). Accordingly, independent claim 22 is not anticipated or rendered obvious by Nakamura. Likewise, claims 31 and 32 are not anticipated or rendered obvious by Nakamura at least by virtue of their dependencies from independent claim 22. Accordingly, it is respectfully submitted that independent claim 22 and claims 31-32 that depend therefrom are clearly allowable over prior art of record.

Amended independent claims 23 and 26, and new claim 38 are directed respectively to a device, system and method, and each recite features that correspond to the above-mentioned distinguishing features of independent claim 22 (e.g., the arrangement of the group judgment device and the target device, and the operation of the judgment unit of the group judgment device).

Thus, for the same reasons discussed above, it is respectfully submitted that independent claims 23, 26 and 38 are not anticipated or rendered obvious by Nakamura. Likewise, claims 33-37 are not anticipated or rendered obvious by Nakamura at least by virtue of their respective dependencies from independent claims 23 and 26. Accordingly, it is respectfully submitted that independent claims 23 and 26; and claims 33-37 that depend respectively therefrom are clearly allowable over prior art of record.

III. Conclusion

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass the present application to issue.

If any points remain in issue which the Examiner feels may best be resolved by an interview, the Examiner is kindly requested to contact the undersigned by telephone.

Respectfully submitted,

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